

General Permit No.: SC GP-95-001(Revised)
Name of Applicant: SC Department of Health and Environmental Control
Effective Date: July 2, 2002
Expiration Date: July 2, 2007

**South Carolina Department of Health and Environmental Control
General Permit**

A General Permit to perform work in or affecting the navigable waters of South Carolina, pursuant to regulations and procedures established under R. 19-450, et seq., Code of Laws of South Carolina, 1976, as amended, is hereby issued by the South Carolina Department of Health and Environmental Control (SCDHEC) to:

SC Department of Health and Environmental Control

to authorize the construction, repair and maintenance of private noncommercial piers, docks, boat lifts, moorings, boat houses, boat ramps, marine railways for dry storage, bulkheads and riprap for erosion control and heat exchange coils for heat pumps by:

Lake Front Property Owners
adjacent to the waters of LAKE GREENWOOD
in Greenwood, Laurens, and Newberry Counties, South Carolina.

This General permit is subject to the following conditions:

I. General Conditions:

A. Structures authorized by this General Permit shall be private, noncommercial, simple piers, docks, boat lifts, moorings, boat houses, marine railways for dry storage, boat ramps, bulkheads and rip-rap for erosion control and heat exchange coils for heat pumps conforming to the standards contained herein. Other construction of any kind within the waters of Lake Greenwood is not authorized by this document.

B. All activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and any variance or activity not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension, or revocation of this permit, and in the institution of such legal proceedings as the SCDHEC may consider appropriate.

C. The structure owner must make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife, and natural environmental values or historic or prehistoric values.

D. The structure owner must prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

E. The structure owner shall permit State law enforcement personnel, representatives of the SCDHEC, Greenwood County or other authorized State permit inspectors to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the

terms and conditions prescribed herein.

F. The structure owner shall maintain structures authorized herein in good condition.

G. This General Permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or Local laws or regulations or Federal Energy Regulatory Commission regulations, nor does it obviate the requirement to obtain Greenwood County assent or to comply with any applicable standards required by ordinance for the construction of structures authorized herein. Greenwood County and other appropriate governmental authorities are not limited by this document and may impose more stringent requirements than those stated herein as deemed appropriate.

H. This General Permit may be either modified, suspended, or revoked in whole or in part if the SCDHEC determines that such action would serve the public interest, and such modification, suspension or revocation shall not be an act entitling the permittee to compensation for any claimed loss as a consequence of such regulatory action, under any circumstances, this permit being issued solely as an accommodation to the permittee, and being revocable as conditions may warrant.

I. No attempt shall be made by the structure owner to prevent reasonable use by the public of all navigable waters adjacent to the activity authorized by this permit.

J. If the display of lights and signals on any structure authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the structure owner.

K. A structure owner who desires to abandon an authorized structure, or who permits a structure to fall in to a state of disrepair such that it no longer conforms to the conditions of this permit, may be required to remove the structure.

L. There shall be no unreasonable interference with navigation by the existence or use of structures authorized herein.

M. Once the project is initiated, it must be carried to completion in an expeditious manner in order to minimize the period of disturbance to the environment.

N. Structure owners are advised of the possibility that piers, docks, boat lifts, moorings, boat houses, boat ramps, marine railways for dry storage, bulkheads and rip-rap for erosion control and heat exchange coils for heat pumps may be subject to damage by wave wash from passing vessels. The issuance of this General Permit does not relieve structure owners from taking all proper steps to insure the integrity of their structures permitted hereby and the safety of boats moored thereto from damage by wave wash, and the structure owners shall not hold the SCDHEC liable for any such damage.

O. A structure owner upon receipt of a notice from the SCDHEC of failure to comply with the terms, conditions, or standards of this General Permit shall, within sixty (60) days (unless circumstances require more expeditious action to protect public health, safety, or environment) without expense to the State of South Carolina and in such manner as the agency may direct, effect compliance with terms, conditions, and standards or remove the structure from Lake Greenwood.

P. This General Permit relates only to simple, noncommercial piers, docks, boat lifts, moorings, boat houses,

boat ramps, marine railways for dry storage, bulkheads and rip-rap for erosion control and heat exchange coils for heat pumps and does not convey the right to place any closed structure or structures for any nonwater related use on or adjacent to the pier, dock, boat lifts, moorings, boat house, boat ramps, marine railways for dry storage, bulkheads and rip-rap for erosion control without prior SCDHEC authorization.

Q. This General Permit authorizes the construction and continued use of certain structures in the navigable waters of Lake Greenwood by landowners adjacent to Lake Greenwood. This authorization is a revocable privilege and if changed circumstances warrant, the SCDHEC may revoke such privilege and require removal of a structure at the expense of the owner.

R. The Permittee must notify the South Carolina Institute of Archaeology and Anthropology (Mr. Mark Newell [803] 777-8170) in accordance with South Carolina Underwater Antiquities Act of 1991 (Article 5, Chapter 7, Title 54 Code of Laws of South Carolina, 1976) in the event archaeological or paleontological remains are found during the course of work. Archaeological remains consist of any materials made or altered by man which remain from past historic or prehistoric times (i.e., older than 50 years). Examples include old pottery fragments, metal, wood, arrowheads, stone implements or tools, human burials, historic docks, structures, or nonrecent (i.e., older than 100 years) vessel ruins. Paleontological remains consist of old animal remains, original or fossilized, such as teeth, tusks, bone, or entire skeletons.

S. The Permittee must notify the South Carolina Department of Archives and History (Ms. Nancy Brock, [803] 734-8577, Historic Preservation Division, Post Office Box 11669, Columbia, South Carolina 29211) if any archaeological materials are encountered during the course of the work. Archaeological materials consists of any items, fifty years or older, which were made or used by man. These items include, but are not limited to stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeleton remains. These materials may be present on the ground surface and/or under the surface of the ground.

T. Prior to beginning any land disturbing activity, appropriate erosion control measures, such as silt fences, silt barriers, or other devices must be placed around the construction area and maintained in a functioning capacity until the area is permanently stabilized.

II. **Special Conditions:** The following conditions set forth minimum criteria and do not preclude the establishment of more stringent criteria by appropriate authority or agreement.

A. Docks, Piers and Boat Lifts

1. Piers shall not exceed 6 feet in width. Docks and piers may be constructed in waters with a depth of up to eight feet but in no event may they extend beyond the lesser of: 1) seventy-five (75) feet in length from the normal lake shoreline or 2) one third the distance across the affected waterway. Docks and piers shall not interfere with navigation, ingress or egress to adjoining property or be in any manner hazardous. In some locations, such as narrow coves, the maximum size may not be permitted or structures may not be permitted at all if conditions are deemed unsuitable by the Department.

2. Docks and piers, whether permanent, floating or a combination of both, may be up to 618 square feet in overall size (surface area). They may have "T" or "L" shaped terminals no greater than 20 feet in width nor 12 feet in length. The 12 feet is included in the overall structure length designated in the preceding paragraph. A maximum of 450 square feet is allowed without the "T" or "L" shaped terminals.

width

width



3. Docks and piers shall be located a minimum of fifteen (15) feet from adjacent property lines or the imaginary waterward extension thereof. Exceptions may be granted for joint use docks by adjoining property owners.

4. A variance, granted by SCDHEC, in the dimensions related to the length of piers and docks or the distance from the adjoining property lines may be granted where shoreline or lake characteristics or conformity with existing structures makes conformance to those requirements impractical and other requirements of this permit are met.

5. Handrailing is permissible provided that the sides are not enclosed. Obstruction of cross vision (ability of boater to see objects/persons on the other side of the structure) is prohibited.

6. All permanent docks must be built horizontally whereby the decking is at least two (2) feet above the full lake level. Exception to the horizontal requirement is permitted only for the necessary slope required for reasonable approach purposes from the shore.

7. Enclosed docks are not permitted. No sinks, toilets, showers, fueling systems/ pumps or any other type of equipment or construction which will create or cause any liquid or solid waste to be discharged into the waters of the lake is permitted.

8. White reflective tape or white reflectors are required and must be maintained on each outermost waterward corner of the dock or pier and every ten (10) feet on both sides of the length of the pier.

9. Flotation for all facilities and boat mooring buoys shall be of materials manufactured for marine use. Materials will resist puncture and penetration and will not be subject to damage by animals. The uncoated, beaded polystyrene will not be permitted for any new construction or as replacement for existing facilities. Reuse of plastic, metal or other previously used drums or containers for encasement or flotation purposes is prohibited. Existing approved flotation is authorized until it has severely deteriorated and is no longer serviceable, at which time it must be replaced with approved flotation.

10. Docks must be single-story structures.

11. Private docks used to moor houseboats for habitation are not allowed by this General Permit. An individual Construction in Navigable Waters Permit is required to authorize these structures. Habitation conditions include, but are not limited to:

Sleeping overnight or staying on, around or within the moored boat for more than three consecutive days

Hardwiring electric power or hardpiping plumbing to the boat

Establishing a mailing address for the boat

12. Common use docks between adjoining property owners are encouraged. A copy of a written agreement between participating property owners must be furnished to SCDHEC.

13. Boat Lifts connected to piers are allowable provided they do not block cross-vision. Lifts for personal watercraft such as jet skis will also be allowed. Not more than two (2) jet ski lifts per waterfront lot will be allowed.

B. Mooring Structures

1. Mooring structures, i.e., dolphins, pilings or buoys, must be placed in association with piers and docks and shall not be located beyond 75 feet from the normal lake shoreline nor extend more than one third (1/3) the distance across the affected waterway, whichever is less, as provided for docks under paragraph IIA.(1), above. Mooring structures shall not be located in front of the associated pier or dock nor shall they be located greater than 20' laterally from the pier or dock. All mooring structures must be well marked with white reflectors or white reflective tape. Mooring structures shall not be located closer than 15 feet to the extended property lines of the permittee.

2. All vessels secured to mooring structures must be moored in a manner which will not create any hazards to navigation.

C. Boat Houses/Slips

1. Boat houses/slips shall not be greater than 16 feet wide for a single slip or 24 feet wide for a double slip. The length shall not exceed 35 feet. The waterward edge of the boat house/slip shall not be constructed in waters with a depth of more than four feet and in no event may extend beyond the lesser of: 1) 75 feet from the shore for uncovered slips or 50 feet for covered slips or 2) extend more than one third the distance across the affected waterway.

2. Roofs may be gabled or monosloped. Enclosed boat houses/slips are not permitted.

3 ... Boat houses/slips must be single-story structures.

4. Boat houses/slips shall be located a minimum of fifteen (15) feet from adjacent property lines or the imaginary waterward extensions thereof.

5. No sinks, toilets, showers, fueling systems/pumps, or any other type of equipment or construction which will create or cause any liquid or solid waste to be discharged into lake waters is permitted.

6. Boat houses/slips may be floating or fixed. Flotation for all boat houses shall be of materials manufactured for marine use. Materials will resist puncture and penetration and will not be subject to damage by animals. The uncoated, beaded polystyrene will not be permitted for any new construction or as replacement for existing facilities. Reuse of plastic, metal or other previously used drums or containers for encasement or flotation purposes is prohibited. Existing approved flotation is authorized until it has severely deteriorated and is no longer serviceable, at which time it must be replaced with approved flotation.

D. Boat Ramps

1. Ramps must be constructed of reinforced concrete with a minimum thickness of 4".

2. Ramps may be up to 12 feet wide and required length to be functional.

3. Ramps should conform to the existing topography, to the extent practicable, to minimize slope alterations. Excessive cut and/or fill to achieve the desired slope is not authorized.

4. Upon completion of construction activities, all disturbed upland areas must be permanently stabilized with a vegetative cover.

E. Marine Railways

1. Marine railways must not interfere with navigation.

F. Bulkheads

1. Bulkheads for erosion control may be no more than 500 feet in length.

2. The bulkhead backfill may not exceed an average of one cubic yard per running foot placed along the bank in navigable waters.

3. Bulkheads (retainer walls) for erosion control must be constructed from pressure treated wood, concrete, vinyl or fiberglass.

4. Bulkheads must generally follow the project boundary, to the extent practicable, and must be placed against the existing erosional scarp and landward of any wetland vegetation to prevent the loss of wetlands.

5. Bulkhead backfill must consist of clean earthen materials free of all potential sources of pollution.

6. The backfilled area must be stabilized with a vegetative cover after construction to minimize erosion.

G. Riprap and Bio-engineering

1. Riprap for erosion control must generally follow the project boundary, to the extent practicable, and must be placed against the existing erosional scarp and landward of any wetland vegetation to prevent the loss of wetlands.

2. Riprap must consist of clean stone or masonry material free of all potential sources of pollution.

3. The riprap revetment may be no more than 500 feet in length.

4. The riprap may not exceed an average of one cubic yard per running foot placed along the bank in navigable waters.

H. Heat Exchange Coils for Heat Pumps

1. The structures must not adversely affect navigation.

2. The heating/coolant medium used within the supply piping must be water.

3. Excavated material from trench excavation not used as backfill must be deposited on high ground and properly contained and stabilized to prevent erosion.

4. Stone used as trench backfill must be clean stone free of all potential sources of pollution.

5. All supply and return piping must be buried a minimum of two feet below the lake bed from the 440 elevation to a depth of five feet below maximum drawdown.

6. The exposed portions of the coils must be anchored to the lake bottom.

III. Required Authorization Each person seeking authorization for the activities described in this General Permit must first complete and submit to the SCDHEC a permit application for the work proposed. Each person shall provide evidence to SCDHEC that all landowners immediately adjacent to the property upon which the activity is to occur have been notified of the proposed activity. Failure to provide such evidence shall preclude authorization under this General Permit.

IV. Penalties for Violation Authorization obtained under this General Permit limits the size, length and use of structures. Any deviation from the specifications or other terms or conditions of the General Permit would constitute a violation of regulations and could result in removal of the structures or work and restoration of the waterway to its former condition and/or imposition of penalties as provided by law.

V. Revocation of General Permit This General Permit may be withdrawn by issuance of a public notice at any time the SCDHEC determines that the singular or cumulative effects of the activities authorized herein have an adverse effect on the public interest. Following such revocation any future activities in areas covered by this General Permit will be processed as individual permits.

VI. Duration of the General Permit This permit will cover activities started within five (5) years and completed within six (6) years after the date of issuance unless this permit is revoked in the interim. A revocation of the General Permit will not affect the work that had been authorized when the General Permit was in effect.

This General Permit shall become effective on the date signed by the SCDHEC.

By Authority of the South Carolina Department of Health and Environmental Control

Signature

Date

Title